

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TIFFANY ANA ROSADO,

Plaintiff,

v.

NANCY A. BERRYHILL,
Acting Commissioner of Social Security,

Defendant.

No. 18-CV-2177 (KMK)

ORDER ADOPTING R&R

KENNETH M. KARAS, United States District Judge:

Tiffany Ada Rosado (“Plaintiff”) brings this Action against the Acting Commissioner of Social Security (the “Commissioner”), pursuant to 42 U.S.C. § 405(g) and § 1383(c)(3), challenging the decision of an administrative law judge (the “ALJ”) to deny Plaintiff’s application for supplemental security income on the ground that Plaintiff was not disabled within the meaning of the Social Security Act, 42 U.S.C. § 423 *et seq.* The Court referred the case to Magistrate Judge Judith C. McCarthy (“Judge McCarthy”) pursuant to 28 U.S.C. § 636(b)(1)(A). (Dkt. No. 6.) Plaintiff and the Commissioner cross-move for judgment on the pleadings. (Dkt. Nos. 12, 14.) Judge McCarthy issued a Report and Recommendation (“R&R”) recommending that the Court grant Plaintiff’s Motion to the extent that the case be remanded for further administrative proceedings consistent with the R&R, and deny the Commissioner’s Cross-Motion. (R&R 24 (Dkt. No. 17).) No objections were filed.

Because no objections have been filed, the Court reviews the R&R “only for clear error on the face of the record.” *See Brennan v. Colvin*, No. 13-CV-6338, 2015 WL 1402204, at *1 (S.D.N.Y. Mar. 25, 2015) (internal quotation marks omitted); *see also Iannolo v. Astrue*, No. 10-

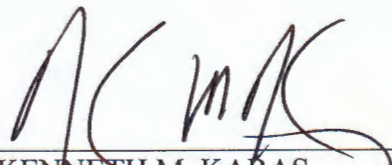
CV-7602, 2012 WL 523619, at *1 (S.D.N.Y. Feb. 16, 2012) (same). Having reviewed the R&R for clear error and finding none, the Court adopts the R&R in its entirety.

Accordingly, it is hereby:

ORDERED that Plaintiff's Motion for Judgment on the Pleadings is granted to the extent that the case be remanded for further administrative proceedings consistent with the R&R, and the Commissioner's Cross-Motion is denied. Accordingly, the case is remanded for further administrative proceedings consistent with the R&R. The Clerk of Court is respectfully directed to terminate the pending Motions. (Dkt. Nos. 12, 14).

SO ORDERED.

Dated: May 6, 2019
White Plains, New York



KENNETH M. KARAS
UNITED STATES DISTRICT JUDGE